

Response To Comments Marina Cove II

Three public comment letters were received during the 30-day public comment period that concluded on October 8, 2012. They will be responded to in this Response To Comments document.

1. East Bay Municipal Utility District (EBMUD).

The City of Alameda thanks the East Bay Municipal Utility District for its comments. The Conditions of Approval document contains Civil and Infrastructure Standard Conditions which address the EBMUD concerns. The specific conditions are:

63. A sanitary sewage flow analysis, acceptable to the Public Works Director, identifying the total peak sanitary sewage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The engineer shall sign and stamp the analysis as approved. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system using a hydraulic model and determine the required improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area. All permits, easements and/or approvals for modifications to the sewer system required by EBMUD are to be obtained prior to Final Map. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will include the recommended improvements from the sewer study and from EBMUD into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first.
64. A sanitary sewage treatment capacity analysis for wet weather flows, acceptable to the Public Works Director, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The engineer shall sign and stamp the analysis as approved. The plan shall identify and mitigate any increase in wet weather flow treatment capacities associated with the development when compared to existing conditions. The applicant/developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first.

65. A storm drainage hydrology analysis, acceptable to the Public Works Director, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The engineer shall sign and stamp the analysis as approved. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system using a hydraulic model and determine the improvements, if any, to ensure sufficient capacity for this project and anticipated cumulative growth in the associated drainage basin. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will include the recommended improvements into the project's improvements plans prior to approval of the improvement plan or parcel/final map, whichever comes first.

2. Letter from Bob Everingham, Marina Cove I

The City of Alameda thanks Mr. Everingham for his comments. The concerns are related to the density of the development, traffic, noise, light, below market rate units and construction of the units. The Marina Cove II site was identified as an available housing site in the 2012 certified Housing Element. The Housing Element identified the site as being able to accommodate up to 193 units. The allowable density under the Multifamily overlay zone is 30 dwelling units per acre. The application is for 89 units, including 51 single-family residential units and 38 duet condominium units. The proposed project would have a gross density of 12.53 dwelling units per acre and a net density of 19.35 dwelling units per acre. The single-family and duet condominium units would allow adequate light into the homes and would also allow for the maintenance of the units.

A Traffic Study was prepared in consultation with the Transportation Division of the City of Alameda Public Works Department. The traffic study concluded there would be no significant traffic impacts, largely because of the significant number of truck trips that would be eliminated by the elimination of the Chipman Warehouse business from the property. The Traffic Study did find that the project would use one percent of the remaining Webster and Posey Tude capacity and a Transportation Demand Management (TDM) Plan is required for the site. The TDM Plan will require two AC Transit passes for each unit in perpetuity or equivalent funding to an available shuttle service.

Five Mitigation Measures relating to Hazardous Materials and their removal have been included to address any Hazardous Materials issues. They are:

1. Mitigation Measure Hazards and Hazardous Materials-1: Prior to issuance of

a demolition permit for the existing buildings on the site, a survey for asbestos-containing building materials (ACBM) shall be conducted by a qualified asbestos abatement contractor. If ACBM is identified, all friable asbestos shall be removed prior to building demolition by a State-certified Asbestos Abatement Contractor, in accordance with all applicable State and local regulations. The Bay Area Air Quality Management District (BAAQMD) shall be notified ten days in advance of any required abatement work. To document compliance with the applicable regulations, the project sponsor shall provide the Alameda Community Development Department with a copy of the notice required by BAAQMD for asbestos abatement work, prior to and as a condition of issuance of the building permit for the proposed project by the City of Alameda Community Development Department.

2. Mitigation Measure Hazards and Hazardous Materials-2: Prior to issuance of a demolition permit for the existing buildings on the site, a survey for lead-based paint (LBP) shall be conducted by a qualified lead assessor. If LBP is identified, lead abatement shall be performed in compliance with all federal, State, and local regulations applicable to work with LBP and disposal of lead-containing waste. A State-certified Lead-Related Construction Inspector/Assessor shall provide a lead clearance report after the lead abatement work in the buildings is completed. The project sponsor shall provide a copy of the lead clearance report to the City of Alameda Community Development Department.
3. Mitigation Measure Hazards and Hazardous Materials-3: The project sponsor shall provide documentation to the City of Alameda demonstrating that the lead contamination in site soils has been remediated to below the applicable environmental screening level (ESL) for residential use. Removal and disposal of lead-contaminated soil, as well as drums of motor oil, hydraulic fluid, antifreeze, propane, and other hazardous materials, shall be performed by qualified personnel in accordance with applicable State regulations.
4. Mitigation Measure Hazards and Hazardous Materials-4: Prior to issuance of a grading permit for the project, the project sponsor shall prepare a soil management plan (SMP) to establish management practices to be followed during site grading in the event that any other pockets of contaminated soil, debris, or buried structures are encountered during the grading. The construction contractor shall be required to conform with the procedures identified in the SMP, as applicable.
5. Mitigation Measure Hazards and Hazardous Materials-5: For all remediation work performed in compliance with Mitigation Measures HM-3 and HM-4, the project sponsor shall prepare and implement a Health and Safety Plan (HASP) and a Soil Management Plan (SMP). The HASP shall identify the

measures necessary to protect workers and to prevent their exposure to hazardous contaminants that are present in the soils on the site. It shall be prepared in consultation with the San Francisco Bay Area Consultation Service Office of the California Department of Industrial Relations, Division of Occupation Safety and Health (Cal/OSHA), and in accordance with all applicable State and federal occupational safety and health standards, including Cal/OSHA's Hazardous Waste Operations and Emergency Response Guidelines (CCR Title 8, Section 5192). The SMP shall address the proper handling and disposition of potentially contaminated soils that may be encountered during excavation, and shall be reviewed and approved by the Alameda Fire Department/CUPA and/or the California Department of Toxic Substances Control (DTSC).

The City of Alameda thanks Mr. Everingham for the comment regarding the HOA. The Conditions of Approval require a funding mechanism acceptable to the Public Work Director to provide for the maintenance of various public and private improvements. One option is a Homeowners Association.

The City of Alameda thanks Mr. Everingham for the comment regarding Below Market Rate units. The comment is beyond the scope of the Initial Study and Mitigated Negative Declaration. Pursuant to AMC 30-16, which specifies Affording Housing provisions in the City of Alameda, the applicant is proposing 16 below market rate units.

The City of Alameda thanks Mr. Everingham for the comment regarding Marina Cove Park. This comment will be forwarded to the Police Department for their consideration.

3. E-mail from Rail Crossing Engineering Section, California Public Utilities Commission

The City of Alameda thanks the California PUC, Rail Crossing Engineering Section for their e-mail. The City has included as a Condition of Approval (#40) the following:

The applicant shall remove any abandoned railroad tracks from publicly traveled roadways and sidewalks.